

Docket No. RSW919980041US2

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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MAR 18 2005

In re application of: Dingsor et al.

§

Serial No. 09/976,126

§

Group Art Unit: 2145

§

Filed: October 11, 2001

§

Examiner: Cardone, Jason D.

§

For: Method and Apparatus Load  
Balancing Server Daemons within a  
Server

§

§

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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on March 18, 2005.

By:

  
J. M. Roberts

## APPEAL BRIEF (37 C.F.R. 41.37)

This brief is in furtherance of the Notice of Appeal, filed in this case on February 1, 2005.

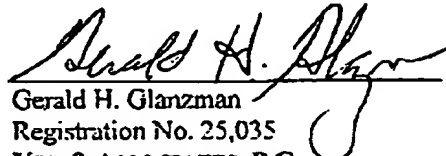
The fees required under § 41.20(B)(2), and any required petition for extension of time for filing this  
brief and fees therefore, are dealt with in the accompanying TRANSMITTAL OF APPEAL BRIEF.ORIGINAL TRANSMITTED BY FACSIMILE TO THE  
COMMISSIONER FOR PATENTS  
ON MARCH 18, 2005(Appeal Brief Page 1 of 20)  
Dingsor et al. - 09/976,126

PAGE 3/22 \* RCVD AT 3/18/2005 9:35:21 AM (Eastern Standard Time) \* SVR:USPTO-EFXXF-1/1 \* DNIS:8729306 \* CSID:9723857766 \* DURATION (mm-ss):05-42

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**CONCLUSION**

For all the above reasons, appellants submit that the Final Rejection of claims 16, 17, 19, 20 and 38 is improper, and respectfully request that the Final Rejection be reversed.



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(Appeal Brief Page 16 of 20)  
Dingsor et al. - 09/976,126

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36736

PATENT TRADEMARK OFFICE  
CUSTOMER NUMBER§  
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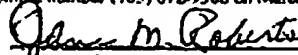
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By:

  
James M. RobertsTRANSMITTAL DOCUMENTCommissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450Sir:  
ENCLOSED HEREWITH:

- Appeal Brief (37 C.F.R. 41.37).

A fee of \$500.00 is required for filing an Appeal Brief. Please charge this fee to IBM Corporation Deposit Account No. 09-0461. No additional fees are believed to be necessary. If, however, any additional fees are required, I authorize the Commissioner to charge these fees which may be required to IBM Corporation Deposit Account No. 09-0461. No extension of time is believed to be necessary. If, however, an extension of time is required, the extension is requested, and I authorize the Commissioner to charge any fees for this extension to IBM Corporation Deposit Account No. 09-0461.

Respectfully submitted.

  
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